

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE**

UNITED STATES

v.

AUSTIN KIDD

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Case No. 3:21-mj-2786

ORDER

Preliminary and detention hearings were held by videoconference (with the defendant's consent) on March 24, 2021. The defendant appeared with counsel, Assistant Federal Public Defender David Baker. Assistant U.S. Attorney Monica Morrison appeared for the government. Following direction examination of the government's witness, HSI Special Agent Tiffany Mayo, defense counsel moved for production by the government of any statements of Special Agent Mayo pursuant to Fed. R. Cr. P. 26.2, made applicable to the preliminary and detention hearings by Fed. R. Cr. 26.2(g).

The government shall promptly comply with its obligation to produce witness statements in accordance with Fed. R. Civ. P. 26.2. However, rather than recessing the proceedings to allow time for production and examination, the Court elects instead, upon the request of defense counsel, to allow the defendant to move to reopen the preliminary and/or detention hearings if the defendant asserts that any information in the witness statements, after receipt and review, changes the calculus of the Court's determination of probable cause or detention.

It is SO ORDERED.



BARBARA D. HOLMES
United States Magistrate Judge